

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

RICHARD J. TINDAL,

Plaintiff,

DECISION AND ORDER

04-CV-6312L

v.

GLENN S. GOORD, et al.,

Defendants.

Plaintiff, *pro se*, filed a motion for entry of default judgment (Dkt. #118) for defendants' alleged failure to comply with certain discovery demands. Plaintiff seeks entry of judgment in the amount of \$138.33, the cost of effecting service of process plus interest. Plaintiff's motion is denied. Plaintiff's motion to compel is now pending before United States Magistrate Judge Marian W. Payson. There is no basis for plaintiff's requested relief.

CONCLUSION

Plaintiff's motion for entry of default judgment (Dkt. #118) is in all respects denied.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "David G. Larimer", is written over a horizontal line.

DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
April 7, 2006.